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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,097	03/19/2002	Mark Fredrick Culler	GEN-0206	8186

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[REDACTED] EXAMINER

PATEL, RAJNIKANT B

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2838

DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No. <b>10/063,097</b>	Applicant(s)	<b>Culler et al.</b>
	Examiner <b>Rajnikant Patel</b>	Art Unit <b>2838</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on Mar 19, 2002

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-46 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-46 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some\* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

1)  Notice of References Cited (PTO-892)

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2

6)  Other: \_\_\_\_\_

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-9, 13-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Engel et al. (U.S. Patent # 5,600,527).

Engel et al. discloses claimed invention a combine current and voltage sensor (figure 1) for sensing current and voltage in a first load strap of a circuit breaker (figure 1, item 25A-25C), the combined current and voltage sensor (figure 1, item 7A,7B,7C) comprising: a combined sensor shell (figure 1, item 11); a current sensor located in the combined sensor shell, the current sensor disposed proximate to the first load strap; a first voltage sensor located in the combine sensor shell, the first voltage sensor disposed proximate to the first load strap.

In regards to claims 2-9 and 14-21, Engel et al. also discloses claimed limitation such as "second and third voltage sensors, the configuration plug, a neutral line, an electronic trip unit, a transformer,

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***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsko (U.S. Patent # 5,936,817) in combination with Peterson et al. (U.S. Patent # 5,420,799).

Matsko et al. discloses claimed invention (figure 2), including voltage sensors, current sensors, transformer, and neutral. However Matssko does not disclose the utilization of technique for a voltage divider. Peterson et al. teaches the utilization of the similar technique for a voltage divider (figure 14A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Matsko et al.'s circuit breaker by utilizing the technique taught by Peterson for the purpose of reducing energy consumption.

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5. Any inquiry concerning this communications or earlier from the examiner should be directed to Raj. Patel whose telephone number is (703) 305-7042. Any inquiry of a general nature or relating to the status of application should be directed to the Group receptionist whose telephone number is (703) 308-1782.



Rajnikant Patel

Primary Examiner

June 16, 2003